

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL G. MARTIN	:	
	:	
Plaintiff,	:	3:15-CV-1620
v.	:	(JUDGE MARIANI)
	:	
THOMAS J. FINLEY, et al.	:	
	:	
Defendants.	:	


ORDER

AND NOW, THIS 15th DAY OF FEBRUARY, 2017, upon *de novo* review of Magistrate Judge Carlson's Report and Recommendation (Doc. 60), Defendant Amil Minora's Objections thereto (Doc. 61) and Plaintiff's Response (Doc. 62), Defendant Minora's Motion to Dismiss (Doc. 22), and all supporting and opposing documents, **IT IS HEREBY ORDERED THAT:**

1. Defendant Minora's Objections (Doc. 61) are **OVERRULED IN PART AND SUSTAINED IN PART.**
2. The Report and Recommendation (Doc. 60) is **ADOPTED IN PART AND OVERRULED IN PART.**
3. Defendant Minora's Motion to Dismiss (Doc. 22) is **GRANTED IN PART AND DENIED IN PART:**
 - a. The Motion is **GRANTED** with respect to Plaintiff's claims of defamation/defamation per se/libel/false light (Count IV) and negligent

infliction of emotional distress (Count V) for the reasons set forth in Magistrate Judge Carlson's R&R. Count IV is therefore dismissed in its entirety against Defendant Minora, and Count V is dismissed in part against Defendant Minora.

- b. The Motion is **GRANTED** with respect to Plaintiff's claims of malicious prosecution (Count III) for the reasons set forth in this Court's accompanying memorandum opinion. Count III is therefore dismissed in part, with prejudice, against Defendant Minora.
- c. The Motion is **DENIED** with respect to Plaintiff's claims of abuse of process (Count III) and intentional infliction of emotional distress (Count V) for the reasons set forth in this Court's accompanying memorandum opinion and Magistrate Judge Carlson's R&R.



Robert D. Mariani
United States District Judge